

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SKILLZ PLATFORM INC.,
a Delaware corporation,

Plaintiff,

-against-

VOODOO SAS, a foreign corporation;
ESPORT NEWCO SAS, a foreign
corporation; and ESPORT NEWCO US
CORP., a Delaware corporation,

Defendants.

Civil Action No.: 24 Civ. 4991 (VSB)

DECLARATION OF ALVINA PILLAI

I, Alvina Pillai, declare under penalty of perjury that the following statements are true and correct:

1. I am an attorney licensed and admitted to practice in the state of New York and an Associate at King & Spalding LLP, attorneys for Plaintiff Skillz Platform, Inc. (“Skillz”).

2. I submit this Declaration in support of Skillz’s Opposition to the Motion to Dismiss the First Amended Complaint Under Fed. R. Civ. P. 12(b)(2), (b)(6), and, in the Alternative, Motion to Strike (ECF No. 62).

3. On October 26, 2024, while physically located in New York, New York, I successfully placed a test download of the Blitz Win Cash application after following a link to Blitz Win Cash on Voodoo SAS’s website, <https://voodoo.io/>. Specifically, I clicked a link to download Blitz Win Cash from Voodoo SAS’s website, <https://voodoo.io/>, which directed me to Blitz Win Cash’s page on the Apple App Store. From the Apple App Store, I then downloaded the Blitz Win Cash application.

4. On my phone, the opening screen of the Blitz Win Cash application reads, “by Voodoo[.]”

5. On October 29, 2024, while located in New York, New York, I successfully deposited \$5 into my Blitz Win Cash account. This amount was “boosted” by \$2.50 such that my total cash account balance was \$7.50.

6. On October 29, 2024, while located in New York, New York, I used \$0.30 of my cash balance to enter a bingo tournament on Blitz Win Cash.

7. On October 29, 2024, while located in New York, New York, I used \$3.00 of my cash balance to enter a solitaire tournament on Blitz Win Cash.

8. Attached hereto as Exhibit A is a true and correct copy of Judge Denise L. Cote’s decision denying Defendants’ motion to dismiss in *Skillz Platform Inc. v. Papaya Gaming, Ltd et al.*, No. 24 Civ. 1646, 2024 WL 3526853 (S.D.N.Y. July 23, 2024).

9. Attached hereto as Exhibit B is a true and correct copy of the Complaint in *Skillz Platform Inc. v. Papaya Gaming, Ltd*, No. 24 Civ. 1646 (S.D.N.Y. Mar. 4, 2024), ECF No. 1.

10. Attached hereto as Exhibit C is a true and correct copy of an order in *Skillz Platform Inc., v. AviaGames Inc.*, No. 21 Civ. 02436 (N.D. Cal. Nov. 27, 2023), ECF No. 521.


11. Attached hereto as Exhibit D is a true and correct copy of the Complaint in *Kelly-Starkebaum v. Papaya Gaming Ltd.*, No. 24 Civ. 02310 (S.D.N.Y. Mar. 27, 2024), ECF No. 1.

12. Attached hereto as Exhibit E is a true and correct copy of the Complaint in *Pandolfi v. AviaGames, Inc.*, No. 23 Civ. 05971 (N.D. Cal. Nov. 17, 2023), ECF No. 1.

13. Attached hereto as Exhibit F is a true and correct copy of an order in *Skillz Platform Inc., v. AviaGames Inc.*, No. 21 Civ. 02436, at 4 (N.D. Cal. Nov. 6, 2023), ECF No. 464.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 30, 2024



Alvina Pillai